



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Vogels et al.

**Serial No.:** 09/517,898

**Filed:** March 3, 2000

**For:** MEANS AND METHODS FOR  
FIBROBLAST-LIKE OR MACROPHAGE-  
LIKE CELL TRANSDUCTION

**Examiner:** Unknown

**Group Art Unit:** 1643

**Attorney Docket No.:** 3982.2US

**NOTICE OF EXPRESS MAILING**

Express Mail Mailing Label Number: EL740547258US  
Date of Deposit with USPS: October 25, 2001  
Person making Deposit: Daniel Thatcher

**ASSENT OF ASSIGNEE TO CORRECTION  
AND/OR ADDITION OF INVENTOR(S)  
AND STATEMENT PURSUANT TO 37 C.F.R. § 3.73**

Commissioner for Patents  
Washington, D.C. 20231

The undersigned Assignee of the entire interest in the above-referenced application for U.S. Letters Patent hereby assents to the correction of inventorship in this application filed herewith.

Pursuant to 37 C.F.R. § 3.73, the undersigned representative of the Assignee has reviewed the evidentiary documents, specifically the Assignment to INTROGENE B.V. filed herewith for recording with the U.S. Patent and Trademark Office.

The undersigned further avers that he is empowered to make and sign the foregoing certification on behalf of the Assignee, and to take the action set forth herein on behalf of the Assignee, pursuant to a resolution of its Board of Directors.

INTROGENE B.V.

Date: 1 feb. 2001

By: 

Domenico Valerio  
President and CEO

ACT/DLS/ps

N:\2183\3982.2\Assent of Assignee to Correction of Inventor(s)

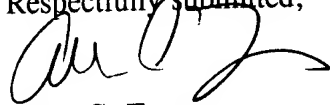
### Remarks

The application is to be amended as previously set forth in response to the Notice to Comply mailed May 25, 2001. The amendment is an amended Sequence Listing adding Sequence ID Nos. 32, 33, 34 and 35. Support for the amended Sequence Listing is found in FIGS. 4, 7A and 7B which were submitted in the original application. All amendments are made without prejudice or disclaimer. It is respectfully submitted that no new matter has been added by the amendments.

Also enclosed is a Supplemental Declaration Regarding Inventorship Error, Assent of Assignee to Correction and/or Addition of Inventor, Assignment; Supplemental Declaration for Patent Application (With Power of Attorney), Declaration and Power of Attorney for Patent Application and the assorted fees.

In the event that any questions remain, the Office is kindly requested to contact applicants' attorney at the address or telephone number given herein.

Respectfully submitted,



Allen C. Turner

Registration No. 33,041

Representative for Applicants

Trask Britt, PC

P. O. Box 2550

Salt Lake City, Utah 84110

Telephone: (801) 532-1922

Date: October 25, 2001

## SUPPLEMENTAL DECLARATION FOR PATENT APPLICATION (WITH POWER OF ATTORNEY)

OCT 25 2001

As an inventor named below or on any attached continuation page, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MEANS AND METHODS FOR FIBROBLAST-LIKE OR MACROPHAGE-LIKE CELL TRANSDUCTION, the specification of which (check one):

- ☐ is attached hereto.  
☒ was filed on March 3, 2000 as United States application serial no. 09/517,898.  
☐ was filed on \_\_\_\_\_ as PCT international application no. \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and on any attached continuation page and have also identified below and on any attached continuation page any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America having a filing date before that of the application(s) on which priority is claimed.

Prior foreign/PCT application(s):

Priority Claimed

| (number) | (country) | (day/month/year filed) | Yes   | No    |
|----------|-----------|------------------------|-------|-------|
| _____    | _____     | _____                  | _____ | _____ |
| _____    | _____     | _____                  | _____ | _____ |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of PCT international application(s) designating the United States of America listed below and on any attached continuation page and, insofar as the subject matter of each of the claims of this application is not disclosed in any such prior application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of such prior application and the national or PCT international filing date of this application:

| (application serial no.) | (filing date) | (status - pending, patented or abandoned) |
|--------------------------|---------------|---|
| _____                    | _____         | _____                                     |

| (application serial no.) | (filing date) | (status - pending, patented or abandoned) |
|--------------------------|---------------|---|
| _____                    | _____         | _____                                     |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

| (provisional application no.) | (filing date) |
|-------------------------------|---------------|
| _____                         | _____         |
| _____                         | _____         |
| _____                         | _____         |

I hereby appoint the following Registered Practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

David V. Trask, Reg. No. 22,012  
 Joseph A. Walkowski, Reg. No. 28,765  
 Edgar R. Cataxinos, Reg. No. 39,931  
 Brick G. Power, Reg. No. 38,581  
 Devin R. Jensen, Reg. No. 44,805  
 Samuel E. Webb, Reg. No. 44,394

William S. Britt, Reg. No. 20,969  
 James R. Duzan, Reg. No. 28,393  
 Kent S. Burningham, Reg. No. 30,453  
 Kenneth B. Ludwig, Reg. No. 42,814  
 David L. Stott, Reg. No. 43,937  
 Kerry D. Tweet, Reg. No. 45,959

Laurence B. Bond, Reg. No. 30,549  
 Allen C. Turner, Reg. No. 33,041  
 Stephen R. Christian, Reg. No. 32,687  
 Paul C. Oestreich, Reg. No. 44,983  
 Eleanor V. Goodall, Reg. No. 35,162  
 Bradley B. Jensen, Reg. No. P-46,801

Address all correspondence to:

Allen C. Turner, telephone no. (801) 532-1922.  
**TRASK BRITT**  
**P.O. BOX 2550**  
**Salt Lake City, Utah 84110**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Ronald Vogels

Inventor's signature: Ronald Vogels Date: 31 Jan 01

Residence: Linschoten, The Netherlands

Citizenship: The Netherlands

Post Office Address: Van Rietlaan 4, 3461 HW Linschoten, The Netherlands

Full name of second joint inventor: Govert J. Schouten

Inventor's signature: Govert J. Schouten Date: 1 Feb 01

Residence: Leiden, The Netherlands

Citizenship: The Netherlands

Post Office Address: Maria van Hongarijelaan 27, 2353 EM LEIDERDORP, the Netherlands

**DECLARATION FOR PATENT APPLICATION**  
(continuation page)

Invention title: MEANS AND METHODS FOR FIBROBLAST-LIKE OR MACROPHAGE-LIKE CELL TRANSDUCTION

Inventor name(s) appearing on first declaration page: Ronald Vogels and Govert Johan Schouten

☒ Additional original, first and joint inventor(s):

Full name of third joint inventor: Abraham Bout

Inventor's signature [Signature] Date 02 Feb 2001

Residence: Moerkapelle, The Netherlands

Citizenship: The Netherlands

Post Office Address: van Swaanwijckstraat 38; 2751 XL MOERKAPPELLE, the Netherlands

Full name of fourth joint inventor: Menzo Jans Emco Havenga

Inventor's signature [Signature] Date 01 Feb 01

Residence: Alphen aan de Rijn

Citizenship: The Netherlands

Post Office Address: Wilhelmina Druckerstraat 66, 2401 KG Alphen aan de Rijn, The Netherlands

NA2183\3982.2\Declaration2 10/25/00



**Declaration and Power of Attorney Patent Application  
(Design or Utility)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: "Means and Methods for Fibroblast-like or Macrophage-like Cell Transduction."

the specification of which

- ☐ is attached hereto  
☒ was filed on March 3, 2000, as application serial no. 09/517,898 and or PCT International Application number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information know to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 35 U.S.C. §365(b) of any foreign application(s) for patent or inventor's certificate, or 35 U.S.C. §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate of PCT International application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application(s) |         |                      |
|------------------------------|---------|----------------------|
| Number                       | Country | Day/Month/Year Filed |
|                              |         |                      |
| Number                       | Country | Day/Month/Year Filed |
|                              |         |                      |
| Number                       | Country | Day/Month/Year Filed |
|                              |         |                      |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

| Prior Provisional Application(s) |                            |
|----------------------------------|----------------------------|
| Serial Number                    | Day/Month/Year Filing Date |
| Serial Number                    | Day/Month/Year Filing Date |
| Serial Number                    | Day/Month/Year Filing Date |

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or under 35 U.S.C. §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| Prior U.S. or International Application(s) |                      |                                       |
|--|----------------------|---------------------------------------|
| Serial Number                              | Day/Month/Year Filed | Status (patented, pending, abandoned) |
| 60/122,732                                 | 4 March 1999         | pending                               |
| Serial Number                              | Day/Month/Year Filed | Status (patented, pending, abandoned) |
| 60/123,061                                 | 5 March 1999         | pending                               |
| Serial Number                              | Day/Month/Year Filed | Status (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## Power of Attorney

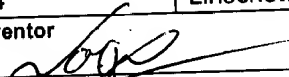
As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| Attorney            | Registration Number |
|---------------------|---------------------|
| David V. Trask      | 22,012              |
| Laurence B. Bond    | 30,549              |
| Allen C. Turner     | 33,041              |
| Edgar R. Cataxinos  | 39,931              |
| Samuel E. Webb      | P44,394             |
| William S. Britt    | 20,969              |
| Joseph A. Walkowski | 28,765              |
| Kent S. Burningham  | 30,453              |
| Brick G. Power      | 38,581              |
| Eleanor V. Goodall  | 35,162              |
| Thomas J. Rossa     | 26,799              |
| James R. Duzan      | 28,393              |
| Robert G. Winkle    | 37,474              |
| Kenneth C. Booth    | 42,342              |

I hereby authorize them or others whom they may appoint to act and rely on instructions from and communicate directly with the person/organization who/which first sends this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instructed otherwise.

Please direct all correspondence in this case to at the address indicated below:

TRASK, BRITT, & ROSSA  
P.O. Box 2550  
Salt Lake City, Utah 84110

| Full Name of Sole or First Inventor   |                               |                             |
|---|-------------------------------|-----------------------------|
| Family Name   | First Given Name              | Second Given Name           |
| Vogels  | Ronald                        |                             |
| Residence and Citizenship   |                               |                             |
| City of Residence   | State or Country of Residence | Country of Citizenship      |
| Linschoten  | the Netherlands               | the Netherlands             |
| Post Office Address   |                               |                             |
| Street Address  | City                          | State & Zip Code or Country |
| van Rietlaan 4  | Linschoten                    | 3461 HW                     |
| Signature of Inventor   |                               | Date                        |
|  |                               | 24-11-00                    |



| Full Name of Second Inventor, if any        |  |   |
|---|--|---|
| Family Name<br>Schouten                     | First Given Name<br>Govert                       | Second Given Name<br>Johan                |
| Residence and Citizenship                   |  |   |
| City of Residence<br>Leiden                 | State or Country of Residence<br>the Netherlands | Country of Citizenship<br>the Netherlands |
| Post Office Address                         |  |   |
| Street Address<br>Da Costrastraat 82        | City<br>Leiden                                   | State & Zip Code or Country<br>2321 AR    |
| Signature of Inventor<br><i>[Signature]</i> |  | Date<br>24-11-00<br>2353 677              |

*maria van Hengelo van Leiden*

| Full Name of Third Inventor, if any           |  |   |
|---|--|---|
| Family Name<br>Bout                           | First Given Name<br>Abraham                      | Second Given Name                                 |
| Residence and Citizenship                     |  |   |
| City of Residence<br>Leiden                   | State or Country of Residence<br>the Netherlands | Country of Citizenship<br>the Netherlands         |
| Post Office Address                           |  |   |
| Street Address<br><del>Geymansstraat 24</del> | City<br><del>Leiden</del> <i>Meerkerke</i>       | State & Zip Code or Country<br>2751 <del>XL</del> |
| Signature of Inventor<br><i>[Signature]</i>   |  | Date<br>24-11-00                                  |

*Van Swaenenghe 4  
30*

| Full Name of Fourth Inventor, if any             |  |   |
|--|--|---|
| Family Name<br>Havenga                           | First Given Name<br>Menzo                        | Second Given Name<br>Jans Emco            |
| Residence and Citizenship                        |  |   |
| City of Residence<br>Alphen aan de Rijn          | State or Country of Residence<br>the Netherlands | Country of Citizenship<br>the Netherlands |
| Post Office Address                              |  |   |
| Street Address<br>Wilhelmina Druckerstraat<br>66 | City<br>Alphen aan de Rijn                       | State & Zip Code or Country<br>2401 KG    |
| Signature of Inventor<br><i>[Signature]</i>      |  | Date<br>24 Nov 00                         |